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FACT SHEET

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Collaborative Justice Courts Advisory Committee

The Judicial Council's Collaborative Justice Courts Advisory Committee advises the Judicial Council regarding collaborative justice, or problem-solving, courts. It makes recommendations to the Judicial Council for developing collaborative justice courts, improving their processing of cases, and overseeing the evaluation of such courts throughout the state. Examples of collaborative justice courts are drug courts, mental health courts, youth/peer courts, homeless courts, domestic violence courts, community courts, DUI courts, and elder courts.

History

Collaborative justice courts—also known as problem-solving courts—promote accountability by combining judicial supervision with rehabilitation services that are rigorously monitored and focused on recovery. These courts are distinguished by the following elements: a problem-solving focus, a team approach to decision making, integration of social and treatment services, judicial supervision of the treatment process, community outreach, direct interaction between litigants and judge, and a proactive role for the judge inside and outside the courtroom.

In August 2000 the Conference of Chief Justices and the Conference of State Court Administrators passed a resolution “in support of problem-solving courts.” That same year, Chief Justice Ronald M. George appointed the Collaborative Justice Courts Advisory Committee as a successor to the former Oversight Committee for the California Drug Court Project. Increasing attention is being focused on integrating collaborative justice principles and methods with ongoing court operations, developing guidelines and promising practices for collaborative courts, and supporting education and training.

In December 2003 the California Judicial Council included in its operational plan a set of collaborative justice initiatives that included obtaining resources for these programs, promoting case-processing efficiency, maximizing long-term cost avoidance, and increasing access to justice.

Projects and Resources

Projects to define and evaluate collaborative justice courts

1. *Transfer of collaborative justice principles to traditional court calendars.* In 2003 a study was initiated to determine which practices in collaborative justice are transferable into the larger court system and to consider the integration of collaborative justice principles with traditional case processing. The study, *Opportunities and Barriers to the Practice of Collaborative Justice in Conventional Courts*, was developed with the Center for Court Innovation and the New York state court system. Phase I of the study consisted of focus group research, with focus groups made up of judges in New York State and California. In phase II, focus group research was conducted with justice system partners. To read the full reports, please visit our Web site at www.courtinfo.ca.gov/programs/collab/.
2. *California Drug Courts: A Methodology for Determining Costs and Avoided Costs.* In both 1998 and 2002, the U.S. Department of Justice's Office of Justice Programs approved a grant of \$300,000 to assist the Administrative Office of the Courts (AOC) with a statewide adult drug court cost study. The first phase covered four years and was completed in 2002. Phase II of the study was completed in 2004. Findings from the study are summarized as follows:
 - Nine adult drug courts participated in the four-year study, which showed savings of \$3,200 to \$20,000 per participant.
 - The study showed a net benefit to the state of over \$9 million for a group of 900 participants.

A third phase will be launched in 2005 to test a self-evaluation tool for local courts to conduct cost-benefit analyses. The methodology used in the cost study of drug courts is also being considered for use in similar studies of other types of collaborative justice courts.

3. *Models for going systemwide with collaborative justice.* Identified models include the following: (1) transferring principles and practices of collaborative justice to general calendars; (2) developing linkages statewide and within local court systems to maximize benefits/effectiveness of the diversity of types of collaborative justice courts; (3) developing modified collaborative justice court systems that serve large numbers of offenders (e.g., Proposition 36 courts that use modified drug court models; dependency drug court models that serve all substance abusing parents in dependency courts).
4. *Identifying and characterizing collaborative justice promising practices.* This project is designed to define the essential components of collaborative justice courts, survey

California courts for the use of essential elements, identify practices, and characterize those practices as “emerging,” “promising,” or “effective” based on performance objectives.

Projects to develop recommendations for minimum judicial education standards in collaborative justice

California Collaborative Courts Judicial Education Project

With support from the State Justice Institute (SJI), the Administrative Office of the Courts (AOC) has developed a collaborative justice curriculum for judicial officers and court staff in the areas of establishing a collaborative court model or adapting collaborative court practices in their courtrooms.

The curriculum includes lesson plans developed in consultation with members of the AOC Center for Judicial Education and Research’s Collaborative Courts Education Committee, the Judicial Council’s Collaborative Justice Courts Advisory Committee, and selected national training organizations, including the National Center for State Courts, New York’s Center for Court Innovation, the National Drug Court Institute, and the National Program for Therapeutic Courts.

A course based on the new curriculum was presented at the 2005 Statewide Judicial Branch Conference. Course participants received a workbook that serves as a benchguide and includes court-specific reference materials and lesson plans. The benchguide will be released statewide and nationally in both print and electronic formats in late 2005.

Outreach and support projects

Projects include (1) an up-to-date Web site on collaborative justice, with links to national and statewide resources; (2) a broadcast on mental health courts; (3) presentations by committee members and staff at national and statewide conferences; (4) an online Prop. 36 course; and (5) participation in the planning and implementation of a statewide Prop. 36 conference sponsored by the state Department of Alcohol and Drug Programs (ADP).

Projects to identify funding sources and make funding recommendations

Collaborative justice courts receive funding from federal, state, and local sources. The AOC’s Collaborative Justice Project administers funding and provides ongoing technical assistance to courts looking to support their programs. Funding efforts include the following:

- *Local assistance grants.* Funding for collaborative justice courts through the AOC's local assistance grant program was first offered in 2001–2002.
- *Juvenile and family collaborative justice court programs.* Since 1996 federal funding has been made available annually for drug courts and other collaborative justice courts through the Byrne Fund and the Juvenile Accountability Block Grant (JABG) programs. These programs have funded juvenile delinquency, dependency, family drug courts, youth/peer courts, juvenile violence and juvenile mental health courts, and restorative justice projects. JABG funding has been used to develop a statewide system of collaborative justice court programs and to support restorative justice practices in the juvenile justice system.
- *DUI/drug court pilot and peer court DUI intervention/prevention programs.* In 2004 the California Office of Traffic Safety (OTS) awarded funding to the Judicial Council for a two-year grant project to develop and implement DUI court model programs (based on collaborative justice courts) that target either young adult or juvenile hard-core drinking-and-driving offenders. In October 2005 OTS awarded \$1.5 million in funding to the Judicial Council for the Collaborative Justice Peer Court DUI Intervention and Prevention Strategies Program. The Judicial Council will partner with California's youth/peer court system on this two-year grant project by awarding mini-grants to existing youth/peer courts to develop and implement a statewide DUI curriculum aimed at educating at-risk juveniles and young adults about the dangers of driving under the influence.
- *State drug court funding.* In September 1998 the California Legislature enacted the Drug Court Partnership Act to fund postplea drug court programs with the goal of producing the greatest possible public safety benefit and reductions in state and local costs. This legislation established a unique partnership between the state Department of Alcohol and Drug Programs (ADP) and the Judicial Council in which the two agencies co-administer the program and demonstrate the cost-effectiveness of drug courts. The legislation has provided approximately \$8 million per year since its enactment.
- In 2000 the Judicial Council and ADP began administering the Comprehensive Drug Court Implementation Act of 1999. This act provides funding for "drug court systems" such as those for (1) juvenile offenders, (2) parents of children who are detained by or are dependents of the juvenile court, (3) parents of children in family law cases involving custody and visitation issues, (4) criminal offenders under Penal Code sections 1000.1–1000.5, and (5) other drug court systems approved by the Drug Court Partnership Executive Steering Committee. The State Budget for fiscal year 2000–2001 provided \$10 million for this program. Funding

in subsequent years has been maintained at approximately \$8 million to \$10 million per year.

Guiding Principles of Collaborative Justice Courts

- Collaborative justice courts integrate services with the justice system's case processing.
- Collaborative justice courts emphasize achieving the desired goals without using the traditional adversarial process.
- Eligible participants are identified early and placed promptly in the collaborative justice court program.
- Collaborative justice courts provide access to a wide array of services, including treatment and rehabilitation services.
- Participant compliance is monitored frequently.
- A coordinated strategy using a system of sanctions and incentives governs a court's responses to participants' compliance.
- Ongoing judicial interaction with each collaborative justice court participant is essential.
- Monitoring and evaluation measure progress toward program goals and gauge effectiveness.
- Effective operation of collaborative justice courts requires continuing interdisciplinary education.
- Partnerships among collaborative justice courts, public agencies, and community-based organizations increase the availability of services, enhance the programs' effectiveness, and generate local support.
- Effective collaborative justice courts emphasize both team and individual commitments to cultural competency. Awareness of and responsiveness to diversity and cultural issues help ensure an attitude of respect in the collaborative justice court setting.

General Resources

- Judicial Council of California, Administrative Office of the Courts, Center for Families, Children & the Courts: Collaborative Justice Courts Project, Nancy Taylor, 415-865-7607; general information, www.courtinfo.ca.gov/programs/collab; educational programs, Center for Judicial Education and Research, Bonnie Pollard, 415-865-7821.

The AOC's Collaborative Justice Courts Project provides outreach and educational activities for local courts and serves as a clearinghouse for information and resources.

- California Association of Drug Court Professionals: Judge Stephen V. Manley, Superior Court of California, County of Santa Clara, 191 North First Street, San Jose, CA 95113, 408-491-4848; e-mail: smanley@scscourt.org; www.cadcp.org
- Center for Court Innovation, a public/private partnership with the New York State Unified Court System—general information/community courts information: 212-397-3050; e-mail: info@courtinnovation.org; www.courtinnovation.org
- Bureau of Justice Assistance, 810 Seventh Street NW, Fourth Floor, Washington, DC 20531, 202-616-6500; fax: 202-305-1367; e-mail: AskBJA@ojp.usdoj.gov; www.ojp.usdoj.gov/BJA
- National Association of Drug Court Professionals: 4900 Seminary Road, Suite 320, Alexandria, VA 22311, 703-575-9400 or 877-507-3229; www.nadcp.org/home.html
- Justice Programs Office, Bureau of Justice Assistance Drug Court Clearinghouse, American University, 4400 Massachusetts Avenue NW, Washington, DC 20016-8159, 202-885-2875; fax: 202-885-2885; e-mail: justice@american.edu; <http://spa.ward.american.edu/justice/index.asp>
- California Department of Alcohol and Drug Programs, 1700 K Street, Sacramento, CA 95814, 916-445-7456; www.adp.cahwnet.gov
- National Center for State Courts, 300 Newport Avenue, Williamsburg, VA 23185, 800-616-6164; www.ncsconline.org

Contact:

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Additional resources:

Reports and publications, www.courtinfo.ca.gov/reference/4_6collab.htm